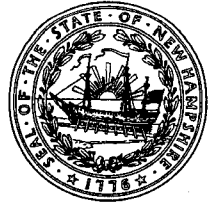




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
WET 2004-53**

August 31, 2004

Marcy Callahan  
97 Dockham Shore Road  
Gilford, NH 03249

RE: DES Wetlands File #1999-01090, 97 Dockham Shore Road, Gilford Tax Map 222, Lot 52

Dear Ms. Callahan:

On August 24, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Gilford Tax Map 222 as Lot 52 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. Approximately 660 sq ft of beach is terraced behind the landward retaining wall of the permitted perched beach. This beach is not shown in plans and photographs submitted with the 1999 application.
2. A 21'2" x 2'6" walkway is installed over Lake Winnepesaukee immediately adjacent to the lakeward retaining wall of the permitted perched beach. This walkway is not shown in the plans and photographs submitted with the 1999 application.
3. A dual PWC lift is installed in the northerly boatslip of the U-shaped docking facility without a permit from DES.

In response, you are requested to take the following actions:

1. By November 1, 2004, please plant vegetation in the entire unpermitted beach area to stabilize the soil and reduce surface water runoff.
2. By November 1, 2004, please remove the 2'6" x 21'2" walkway.
3. By November 15, 2004, please submit photos documenting the restoration of the beach area and removal of the wharf to DES.
4. Prior to installing the PWC lift for the 2005 boating season, please submit the enclosed Permit-By-Notification form to DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit,

this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

D. Forst, Shoreland Program Supervisor  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

**COPY**

D. Forst  
Shoreland Program Supervisor  
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0696 0954

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit ✓  
Gilford Conservation Commission  
Gilford Board of Selectmen  
USACOE  
Prime Construction Inc